



DEPARTMENT OF BUILDING AND ZONING SERVICES

### Council Variance Application

111 North Front Street, Columbus, Ohio 43215
Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

### STATEMENT OF HARDSHIP

Chapter 3307 of the Columbus Zoning Code

# CV19-094

### Section 3307.10 Variances by City Council

- A. Permit a variance in the yard, height, or parking requirements of any district only in conjuction with a change in zoning or a use variance and only where there are unusual and practical difficulties or unusual hardships in the carrying out of the zoning district provisions due to an irregular shape of lot, topography, or other conditions, providing such variance will not seriously affect any adjoining property or the general welfare.
- **B.** Permit a use of the property not permitted by the Zoning District established on the property if such use will not adversely affect the surrounding property or surrounding neighborhood and if Council is satisfied that the granting of such variance will alleviate some hardship or difficulty which warrants a variance from the Comprehensive Plan.

Before authorizing any variance from the Zoning Code in a specific case, City Council shall first determine that such variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion of public streets, increase the danger of fires, endanger the public safety, unreasonably diminish or impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Columbus.

In granting a variance pursuant to this section, Council may impose such requirements and conditions regarding the location, character, duration, and other features of the variance proposal as Council deems necessary to carry out the intent and purpose of this Zoning Code and to otherwise safeguard the public safety and welfare

List all sections of Code to be varied and explain your reasoning as to why this request should be granted.

PLEASE NOTE: It is the applicant's responsibility to identify all variances required for the project. If any necessary variances are discovered after your application is approved, a new application will be required.

I have read the foregoing and believe my application for relief from the requirements of the Zoning Code contains the necessary hardship, will not adversely affect surrounding property owners and will comply with the variance(s) requested as detailed below (use separate page if needed or desired):

See Exhibit B

Signature of Applicant

Signature of Attorney

\_\_\_ Da

Date 9-20-

Date 9/20/19

# Exhibit B Statement of Hardship CV19-094 2565 Lockbourne Road

Rezoning application Z19-075 is pending to rezone the 6.28 +/- acre property to the L-AR-1, Limited Apartment Residential District. This variance application is submitted for variances to applicable site development standards as a companion application to the pending rezoning. The site will be developed in two (2) separate phases with a maximum total of 100 dwelling units as the sum of both phases. The phases will be built at different times and have separate parcel numbers. The parcels won't be combined and the phase line will remain a property line. A minor adjustment (lot split) in the phase line/property line may be needed to connect the two buildings (phases). The Site Plan titled "Community Housing Network Touchstone Field Place" dated January 10, 2020 and signed by David B. Perry, Consultant for applicant, and Donald Plank, Attorney for applicant, depicts the planned site development and minimum building setbacks. The building footprint is illustrative. The Site Plan may be slightly adjusted to reflect engineering, topographical, or other site data developed at the time final development, engineering and architectural plans are completed. Any slight adjustment shall be reviewed and may be approved by the Director of the Building and Zoning Services Department or his designee upon submission of the appropriate data regarding the proposed adjustment.

Applicant has a hardship in that there is no zoning district to which the property could be rezoned for the proposed development and not need variances to code standards. Applicant has a practical difficulty with compliance to develop the property in a comprehensive, coordinated manner, as proposed. The requested variances are technical in nature due to the phased construction and known need for parking, thereby reducing unnecessary pavement and storm water runoff.

Applicant requests the following variances:

- 1). Section 3333.16, Fronting, to permit Phase 2 of the development to not front on a street. Access to Lockbourne Road shall be provided by easement across Phase 1.
- 2). Section 3333.23, Minimum Side Yard Permitted, to reduce the interior phase line (property line) between Phase 1 and Phase 2 from five (5) feet to zero (0) feet. When Phase 2 is built, the buildings will be connected at the phase line/property line.
- 3). Section 3312.25, Maneuvering, to permit parking spaces to maneuver across the phase line (property line) of Phase 1 and Phase 2.
- 4). Section 3312.29, Parking Space, to permit parking spaces to be divided by the phase line (property line) of Phase 1 and Phase 2.
- 5). Section 3312.49, Minimum Numbers of Parking Spaces Required, to reduce required parking for 100 dwelling units (max.) from 150 spaces (1.5 space/DU) to 36 spaces (0.36 space/DU) and to reduce parking for Phase 1 (56 dwelling units) from 84 spaces (1.5 space/DU) to 21 spaces (0.35 space/DU). Community Housing Network, Inc. (CHN) owns and operates over 1,200 apartment units in Franklin County. Nearly all of the units are single occupancy. Through many years of managing these units for the population CHN serves, it is CHN's experience that the proposed number of parking spaces is more than adequate and likely even overstates the parking demand for both residents and visitors. It is CHN's mission as well as obligation through public financing requirements to provide affordable apartments. It is CHN's experience that few CHN residents have cars.



CV19-094 2565 Lockbourne Rd. Approximately 6.38 acres

### SITE ND USE 104 Burley Dr. Lawndale Ave. itchner Dr. Jonathan Dr. Lock Ave. Omar Dr. Koebel Ave. **Glendower Ave** Koebel Rd. dower Ave. Dewberry Rd. Groveport Rd. Faber Ave vergreen Rd. Evergreen Rd. Ave. Watkins Rd Grovewood Dr. Grovewood Dr. Midway Ave. Southfield Dr. S. Clarfield Ave. oundview Ave. Venice Dr. Augmont Ave Wayland Dr. Hilock Rd. Lockbourne Road Williams Rd. EHOUSING ! MIXED-USE **RECREATION AREAS** Properties along Lockbourne Road, north of the The Marion-Franklin Park / and Community ns the existing transportation/shipping and Marion-Franklin Community Center, have been Center is perhaps the community's most significant developed with institutional, office, residential and physical asset. With programs and facilities for both er freight facilities serving the C & O and N retail commercial uses. This mix could be both adults and youth, it serves to support families and ailroads. Additional encroachment into itial reighborhoods should be discouraged, enhanced and supported with additional residential strengthen surrounding neighborhoods by providing provements to these properties should be development (i.e. assisted living facilities, educational and recreational opportunities. Sills condominiums or senior housing). Park, south of Groveport Road, contains ball fields ed as long as these facilities remain viable. and is actively used during the summer.

**TriSouth Neighborhood Plan (2003)** 

CV19-094 2565 Lockbourne Rd. Approximately 6.38 acres



CV19-094 2565 Lockbourne Rd. Approximately 6.38 acres



DEPARTMENT OF BUILDING AND ZONING SERVICES

### ORD #0229-2020; CV19-094; Page 7 of 8

## Standardized Recommendation Form

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov/bzs • zoninginfo@columbus.gov

FOR USE BY: AREA COMMISSION / COM	IMUNITY GROUP / HISTORIC ARCHITECTURAL REVIEW
(PLEASE PRINT)	210 KMT / 1/1/0 NOU
Case Number:	219-025 / 6019-099
Address:	2565 Lockbourse RD
Group Name:	Far South Cals Hrea Commission
Meeting Date:	Dec. 5,20/9
Specify Case Type:	BZA Variance / Special Permit Council Variance Rezoning Graphics Variance / Plan / Special Permit
Recommendation: (Check only one and list basis for recommendation below)	Approval Disapproval
NOTES: The FSCA	2 found the Marion Frankler 550C. 11sted 54-0 part
en favo	of the Rezoning and Council
Variance	We attended a facility visit,
and ha	s 6/ residents attend our
Zonerg M.	noeting.
Vote: Signature of Authorized Representative	12 in a Hendance 2- Yes/09-No/1-0657  Becky Walcott  FSCAC  RECOMMENDING GROUP TITLE  (6/4-927-7040)
	DAYTIME PHONE NUMBER

Please e-mail this form to the assigned planner within 48 hours of your meeting day; or FAX to Zoning at 614-645-2463; or MAIL to: Assigned Planner, City of Columbus, Department of Building & Zoning Services, 111 N. Front St., Columbus, OH 43215.



**Council Variance Application** 

111 North Front Street, Columbus, Ohio 43215

Phone: 614-645-4522 • www.columbus.gov • zoninginfo@columbus.gov

# PROJECT DISCLOSURE STATEMENT

All parties having a 5% or more interest in the project that is the subject of this application should be listed.

THIS PAGE MUST BE FILLED OUT COMPLETELY AND NOTARIZED. Do not indicate 'NONE' in the space provided.

	APPLICATION#:		
STATE OF OHIO COUNTY OF FRANKLIN			
Being first duly cautioned and sworn (NAME) Donald Plank of (COMPLETE ADDRESS) Plank Law Firm, 411 East Town Street, Floor 2, Columbus, Ohio 43215 deposes and states that (he/she) is the APPLICANT, AGENT or DULY AUTHORIZED ATTORNEY FOR SAME and the following is a list of all persons, other partnerships, corporations or entities having a 5% or more interest in the project which is the subject of this application in the following format:			
	Name of business or individual (include contact name and number) Business or individual's address City, State, Zip Code Number of Columbus based employees (Limited to 4 lines per box)		
1. Community Housing Network; 1680 Watermark Drive, Columbus, OH 43215; # of Columbus based Emps: 93; Contact: Laurie Sutherland, 614-487-6750	2. 2561 Lockbourne Property, LLC; 1266 E Livingston Avenue, Columbus, OH 43205; # of Columbus based Emps: Zero (0); Contact: Sean Mirfendereski, 614-560-9590		
3.	4.		
Check here if listing additional parties on a separate page.			
SIGNATURE OF AFFIANT	ald Plank		
Subscribed to me in my presence and before me this	day of September, in the year 2019		
SIGNATURE OF NOTARY PUBLIC	Mary alice Wolf		
My Commission Expires:			
Notary Seal Here  MaryAlice Wolf  Notary Public, State of Ohio  My Commission Expires October 24, 2023			